

United States Courts  
Southern District of Texas  
FILED

*August 19, 2020*  
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David J. Bradley, Clerk of Court

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA**

§

§

**v.**

§

**CRIMINAL NO. 4:20-cr-00264S**

§

**JOSE ABRAHAM NICANOR &**

§

**ALEJANDRO GARCIA**

§

**SUPERSEDING INDICTMENT**

**THE GRAND JURY CHARGES THAT:**

**COUNT ONE**

**(Felon in Possession of a Firearm)**

On or about January 30, 2018, in the Houston Division of the Southern District of Texas,  
the Defendant,

**JOSE ABRAHAM NICANOR,**

knowing he had previously been convicted of a crime punishable by imprisonment for a term  
exceeding one year, knowingly possessed a firearm, to wit, a Fabrique Nationale Herstal (FN),  
model Five-Seven, 5.7 x 28mm pistol, and the firearm was in and affecting commerce.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**COUNT TWO**

**(Felon in Possession of Ammunition)**

On or about January 30, 2018, in the Houston Division of the Southern District of Texas,  
the Defendant,

**JOSE ABRAHAM NICANOR,**

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, to wit, fifty rounds of Federal 5.7 x 28mm caliber FMJ ammunition, and the ammunition was in and affecting commerce.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**COUNT THREE**

**(False Statement During Acquisition of a Firearm)**

On or about February 16, 2019, in the Southern District of Texas,

**JOSE ABRAHAM NICANOR**

defendant herein, aiding and abetting others known and unknown to the Grand Jury, in connection with the acquisition of a firearm, that is, a Century Arms AK-47, from Zeroed In Armoury, knowingly made a false and fictitious written statement on a Form 4473 that was intended and likely to deceive Zeroed in Armory as to a fact material to the lawfulness of such sale of the said firearm to James Jefferson, in that James Jefferson represented on Form 4473 that he was the actual buyer of the firearm when, as he well knew, he was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6) and 2.

**COUNT FOUR**

**(False Statement During Acquisition of a Firearm)**

On or about March 29, 2019, in the Southern District of Texas,

**JOSE ABRAHAM NICANOR &**

**ALEJANDRO GARCIA**

defendants herein, aiding and abetting others known and unknown to the Grand Jury, in connection with the acquisition of a firearm, that is, a Barrett model M82A1 .50 caliber rifle, knowingly made a false and fictitious written statement on a Form 4473 that was intended and likely to deceive Zeroed in Armory as to a fact material to the lawfulness of such sale of the said firearm to Alejandro Garcia, in that Alejandro Garcia represented on Form 4473 that he was the actual buyer of the firearm when, as he well knew, he was not the actual buyer of the firearm.

In violation of Title 18, United States Code, Sections 922(a)(6) and 2.

**A TRUE BILL:**

Original Signature on File

**FOREPERSON OF THE GRAND JURY**

**RYAN K. PATRICK**

**UNITED STATES ATTORNEY**

BY: *Lisa M. Collins*

**Lisa M. Collins**

**Assistant United States Attorney**